



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** July 15, 2008

**TO:** Mayor and Councilmembers

**FROM:** Engineering Division, Public Works Department

**SUBJECT:** Approval Of Map And Execution Of Agreements For 1155-1159 Coast Village Road

### RECOMMENDATION:

That Council approve and authorize the City Administrator to execute and record Parcel Map No. 20,776 for a subdivision at 1155-1159 Coast Village Road and other standard agreements relating to the approved subdivision, finding the Parcel Map in conformance with the State Subdivision Map Act, the City's Subdivision Ordinance, and the approved Tentative Subdivision Map.

### DISCUSSION:

A Tentative Map for a subdivision located at 1155-1159 Coast Village Road (Attachment 1) was conditionally approved on March 12, 2008, by adoption of the Staff Hearing Officer's Conditions of Approval, Resolution No. 020-08 (Attachment 2). The project involves the conversion of three existing commercial buildings into three commercial condominiums.

In accordance with the Staff Hearing Officer's approval, the Owners (Attachment 3) have signed and submitted the Parcel Map and the subject Agreements to the City, tracked under Public Works Permit No. PBW2008-00406. It is necessary that Council approve the Parcel Map since it conforms to all the requirements of the Subdivision Map Act and the Municipal Code applicable at the time of the approval of the Tentative Map (Municipal Code, Chapter 27.09.060).

Staff recommends that Council authorize the City Administrator to execute the subject *Agreement Relating to Subdivision Map Conditions Imposed on Real Property*.

The *Agreement Assigning Water Extraction Rights* is being processed concurrently with this Council Agenda Report, but will be signed by the Public Works Director in accordance with City Council Resolution No. 02-131.

**THE PARCEL MAP IS AVAILABLE FOR REVIEW IN THE CITY CLERK'S AND THE MAYOR AND COUNCIL OFFICES.**

**ATTACHMENTS:**

1. Vicinity Map
2. Conditions that are required to be recorded concurrent with Parcel Map No. 20,776 by the Staff Hearing Officer's, Conditions of Approval, Resolution No. 020-08
3. List of Owners

**PREPARED BY:** Homer F. Smith II, Principal Engineer/VJ/kts

**SUBMITTED BY:** Christine F. Andersen, Public Works Director

**APPROVED BY:** City Administrator's Office

# ATTACHMENT 1

## Vicinity Map 1155-1159 Coast Village Road



Not to Scale

**CONDITIONS THAT ARE REQUIRED TO BE RECORDED CONCURRENT WITH  
PARCEL MAP NO. 20,776 BY STAFF HEARING OFFICER'S CONDITIONS OF  
APPROVAL, RESOLUTION NO. 020-08**

**1155-1159 Coast Village Road**

Said approval is subject to the following conditions:

- 1. Approved Development.** The development of the Real Property approved by the Staff Hearing Officer on March 12, 2008 is limited to three commercial condominiums with common parking and landscape areas and the improvements shown on the Tentative Subdivision Map (Development Plan) signed by the Staff Hearing Officer on said date and on file at the City of Santa Barbara.
- 2. Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural watercourses, conduits and any access roads, as appropriate.
- 3. Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Architectural Board of Review (ABR). Such plan shall not be modified unless prior written approval is obtained from the ABR. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan. If said landscaping is removed for any reason without approval by the ABR, the owner is responsible for its immediate replacement.
- 4. Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall maintain the drainage system and storm water pollution control devices intended to intercept siltation and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc. ) in a functioning state (and in accordance with the Operations and Maintenance Procedure Plan approved by the Building Official). Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat, or result in increased erosion, the Owner shall be responsible for any necessary repairs to the system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit is required to authorize such work. The Owner is responsible for the adequacy of any project related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health, or damage to the Real Property or any adjoining property.

**5. Required Private Covenants.** The Owners shall record in the official records of Santa Barbara County either private covenants, a reciprocal easement agreement, or a similar agreement which, among other things, shall provide for all of the following:

**a. Common Area Maintenance.** An express method for the appropriate and regular maintenance of the common areas, common access ways, common utilities and other similar shared or common facilities or improvements of the development, which methodology shall also provide for an appropriate cost-sharing of such regular maintenance among the various owners of the condominium units.

**b. Carports Available for Parking.** A covenant that includes a requirement that all carports be kept open and available for the parking of vehicles owned by the tenants of the property in the manner for which the carports were designed and permitted.

**c. No Parking Assignment.** All parking spaces, including the carport spaces shall be unassigned and shall be open and available to all users of the project site.

**d. Landscape Maintenance.** A covenant that provides that the landscaping shown on the approved Landscaping Plan shall be maintained and preserved at all times in accordance with the Plan.

**e. Trash and Recycling.** Trash holding areas shall include recycling containers with at least equal capacity as the trash containers, and trash/recycling areas shall be easily accessed by the consumer and the trash hauler. Green waste shall either have containers adequate for the landscaping or be hauled off site by the landscaping maintenance company. If no green waste containers are provided for common interest developments, include an item in the CC&R's stating that the green waste will be hauled off site.

**f. Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.

**6. Use Limitations.** Due to potential parking impacts, uses other than general office and retail are not permitted without further environmental and/or Staff Hearing Officer review and approval. The restriction of the uses allowed in the zone is expanded to exclude uses which have a higher parking demand than 1 parking space per every 250 sq. ft. of floor area, such as medical, dental and restaurant are prohibited. Prior to initiating a change of use, the Owner shall submit a letter to the Community Development Director detailing the proposal, and the Director shall determine the appropriate review procedure and notify the Applicant.

## **ATTACHMENT 3**

### **LIST OF OWNERS**

1155-1159 Coast Village Road

Anne Chenoweth  
David Chenowith  
Louise Chenowith  
Michael Chenowith  
Joseph Chenowith  
Peter Chenowith  
Elizabeth Chenowith